

Brian Gustafson, Administrator
Air Quality Program
Department of Environment and Natural Resources
523 East Capitol, Joe Foss Building
Pierre, South Dakota 57501

RECEIVED

SEP 25 2008

AIR QUALITY
PROGRAM

Dear Mr. Gustafson:

I am a citizen of South Dakota and resident of Clay County. I hereby submit my formal comment and ask that you approve the air permit for the proposed Hyperion Energy Center in its current form without delay. I strongly believe that this project is a great opportunity for Clay County, the State of South Dakota, and our nation.

Hyperion has committed to building the most advanced and environmentally sound refinery in the United States. It is disturbing that a new refinery has not been built in this country in over thirty years. The Hyperion Energy Center will be built from the ground up using new and proven emissions control technologies. I am comforted in knowing that Hyperion will conduct ongoing monitoring during operations to ensure compliance with the permit requirements. But, comfort is not enough. I believe our Governor when he says he will make sure Hyperion's promises of compliance will be enforced. The Governor says the State will not just take Hyperion's word for it. I believe this Governor and future Governors will keep that promise.

I assume your department will be a big part of the enforcement effort the State will bring to bear on this project. I urge you to begin searching for expertise to do exactly that. Forget the notion that enforcement can be done cheaply with inexperienced inspectors. I hope and expect South Dakota will recruit a leader of the full time inspection team that has extensive experience inspecting oil refineries and enforcing environmental regulations. Anything less than a real pro at the helm of the inspection process will prove the doom-sayers right when they say, "South Dakota cannot effectively inspect a plant of this size since we have no experience with anything like it!" Nip that sentiment in the bud. Please recruit an experienced expert to lead. Pay what it takes to get such a person. Do not go "cheap" on this critical need. Prove the doom-sayers wrong from day one.

The economic benefit our communities will see from this project is tremendous. Thousands of new jobs, new tax revenue and tremendous growth as a result of this project will benefit all South Dakotans not to mention allowing South Dakota to take a leadership role in helping America to increase its energy security. Proven enforcement and inspection will get us all these benefits and reduce the environmental risks to the degree South Dakotans deserve and, frankly, expect.

Thank you for your time and diligent attention to this matter.

Mike J. Keller, 215 Court, Vermillion, South Dakota, 57069

